

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LIFEWATCH SERVICES, INC., and
CARD GUARD SCIENTIFIC SURVIVAL, LTD.

Plaintiffs,

v.

Civil Action No. 09-CV-6001

BRAEMAR, INC. AND
ECARDIO DIAGNOSTICS, LLC,

Defendants.

**NOTICE OF JOINT MOTION TO DISMISS THE CLAIMS
AND COUNTERCLAIMS CONCERNING THE '878 PATENT**

TO: All Counsel of Record

PLEASE TAKE NOTICE that on July 8, 2010 at 9:30 A.M. or as soon thereafter as counsel may be heard, counsel for the parties in this action, Plaintiffs LifeWatch Services, Inc. and Card Guard Scientific Survival, Ltd. and Defendants Braemar, Inc. and Ecardio Diagnostics, LLC, shall appear before the Honorable Judge Hibbler, or any other judge sitting in his stead, in the U.S. District Court for the Northern District of Illinois, located at The Dirksen Federal Building, Room 1225, 219 South Dearborn Street, Chicago, Illinois 60604 and shall then present the **JOINT MOTION TO DISMISS THE CLAIMS AND COUNTERCLAIMS CONCERNING THE '878 PATENT**. However, the parties respectfully submit that a hearing is not necessary on this Joint Motion.

Dated: July 1, 2010

/s/ Jeremy P. Oczek

Steven M. Bauer (admitted *pro hac vice*)
Jeremy P. Oczek (admitted *pro hac vice*)
Benjamin M. Stern (admitted *pro hac vice*)
Melissa A. Siegelman (admitted *pro hac vice*)
PROSKAUER ROSE LLP
One International Place
Boston, MA 02110
Telephone: (617) 526-9600
Facsimile: (617) 526-9899
sbauer@proskauer.com
joczek@proskauer.com
bstern@proskauer.com
msiegelman@proskauer.com

and

Steven R. Gilford (IL Bar No. 3121730)
Catherine J. Spector (IL Bar No. 6287459)
PROSKAUER ROSE LLP
Three First National Plaza
70 West Madison, Suite 3800
Chicago, IL 60602-4342
Telephone: (312) 962-3550
Facsimile: (312) 962-3551
sgilford@proskauer.com
cspector@proskauer.com

*ATTORNEYS FOR LIFEWATCH SERVICES,
INC. AND CARD GUARD SCIENTIFIC
SURVIVAL, LTD.*

/s/ John L. Krenn

John L. Krenn (admitted *pro hac vice*)
Gregory R. Merz (admitted *pro hac vice*)
Dean C. Eyler (admitted *pro hac vice*)
GRAY, PLANT, MOOTY, MOOTY &
BENNETT, P.A.
500 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 632-2222
Facsimile: (612) 632-4222
john.krenn@gpmlaw.com
gregory.merz@gpmlaw.com
dean.eyler@gpmlaw.com

and

Stacie Rachel Hartman (IL Bar No. 6237265)
Luke Timothy Shannon (IL Bar No. 6290734)
SCHIFF HARDIN LLP
6600 Sears Tower
Chicago, IL 60606
Telephone: (312) 258-5500
Facsimile: (312) 258-5700
shartman@schiffhardin.com
lshannon@schiffhardin.com

*ATTORNEYS FOR BRAEMAR, INC. AND
eCARDIO DIAGNOSTICS, LLC*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system on this 1st day of July, 2010.

/s/ Jeremy P. Oczek

Jeremy P. Oczek